

suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Passed by the House on March 29, 1979, by a non-record vote; passed by the Senate on May 24, 1979: Yeas 31, Nays 0.

Approved June 13, 1979.

Effective Aug. 27, 1979, 90 days after date of adjournment.

REPRESENTATIVE DISTRICTS 72A AND 72B— BOUNDARIES

CHAPTER 712⁴⁷

H. B. No. 309

An Act relating to the boundaries of state Representative Districts 72A and 72B.

Be it enacted by the Legislature of the State of Texas:

Section 1. Representative Districts 72A and 72B of the State of Texas shall be composed of the following defined areas and each shall be entitled to elect one representative:

72A. That part of El Paso County included in census tracts 1.01, 1.02, 1.03, 2.01, 2.02, 3.01, 3.02, 11.02, 12, 13, and 14, that part of census tract 101 West of the Southern Pacific Railroad, and those parts of census tracts 102 and 11.01 not included in District 72B.

72B. That part of El Paso County included in census tracts 15, 16, 17, 18, 4.01, 4.02, 5, 6, 7, 8, 9, and 10, that part of census tract 22 not included in district 72C, that part of census tract 23 included in enumeration districts 107, 108, 111, and 112 and block tracts 401, 402, 407, 408, 409, 410, 414, and 416, that part of census tract 25 included in enumeration district 121 and block tracts 301, 716, 717, 718, 719, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, and 819, that part of census tract 24 included in enumeration districts 115 and 116, that part of census tract 102 in the area bounded by the city limits of El Paso on the West line of Section 7, Block 81, tap 2, T and P RR Surveys and the boundaries of census tract 4.01 and that part of census tract 11.01 included in the area bounded by the West line of survey F. W. Brown number 224, the North line of survey F. W. Brown number 224, the East line of survey F. W. Brown number 224 and the North line of census tract 15.

Sec. 2. This Act shall become effective for the elections, primary and general, for all representatives from the places herein specified and described to the 67th Legislature, and continue in effect thereafter for succeeding legislatures; provided specifically that this Act shall not affect the membership, personnel, or districts of the 66th Legislature; and provided further, that in case a vacancy occurs in the office of any representative of the 66th Legislature by death, resignation, or otherwise, and a special election to fill such vacancy becomes necessary, said election shall be held in the district as it was constituted on January 1, 1979.

Sec. 3. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative

67. Vernon's Ann.Civ.St. art. 196a—5, §§
1, 2.

public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended.

Passed by the House on May 4, 1979: Yeas 127, Nays 2, 1 present, not voting; passed by the Senate on May 25, 1979: Yeas 30, Nays 0.

Approved June 13, 1979.

Effective Aug. 27, 1979, 90 days after date of adjournment.

PROBATE CODE REVISION

CHAPTER 713

H. B. No. 329

An Act relating to the clarification, revision, and amendment of the Texas Probate Code and the amendment of certain other statutes that relate to probate and payments on behalf of minors.

Be it enacted by the Legislature of the State of Texas:

Section 1. Section 3, Texas Probate Code, as amended, is amended by adding "Subsections (ii) and (jj) to read as follows:

(ii) "Statutory probate court" refers to any statutory court presently in existence or created after the passage of this Act, the jurisdiction of which is limited by statute to the general jurisdiction of a probate court, and such courts whose statutorily designated name contains the word "probate." County courts at law exercising probate jurisdiction are not statutory probate courts under this Code unless their statutorily designated name includes the word "probate."

(jj) "Next of kin" includes an adopted child or his or her descendants and the adoptive parent of the adopted child.

Sec. 2. Sections 5(c) and (d), Texas Probate Code, as amended, are amended "to read as follows:

(c) In those counties where there is a statutory probate court, county court at law, or other statutory court exercising the jurisdiction of a probate court, all applications, petitions and motions regarding probate, administrations, guardianships, and mental illness matters shall be filed and heard in such courts and the constitutional county court, rather than in the district courts, unless otherwise provided by the legislature, and the judges of such courts may hear any of such matters sitting for the judge of any of such courts. In contested probate matters, the judge of the constitutional county court may on his own motion, and shall on the motion of any party to the proceeding, transfer the proceeding to the statutory probate court, county court at law, or other statutory court exercising the jurisdiction of a probate court, which may then hear the proceeding as if originally filed in such court.

(d) All courts exercising original probate jurisdiction shall have the power to hear all matters incident to an estate. When a surety is called on to perform in place of an administrator or guardian, all courts exercising original probate jurisdiction may award judgment against the personal representative in favor of his surety in the same suit.

68. V.A.T.S. Probate Code, § 3, subsecs. (ii), (jj). 69. V.A.T.S. Probate Code, § 5(c), (d).